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September 28, 2005

***Via Facsimile and First Class Mail***

James S. Robbins, Esq.  
6 Beacon Street  
Boston, MA 02108

**Re: Georto, Inc. v. William Gateman, Individually and as Trustee of 200  
Union Street Realty Trust v. Roberts Corporation, Civil Action No. 04-  
11730 NG**

Dear Jim:

In accordance with our discussion of today, I am writing to confirm that Plaintiff's Interrogatory No. 5 should be construed to refer to the following statements, communications, or representations:

- "Based on conversations with Mr. Gateman, all demolition debris has been or will be hauled off-Site by Robert's Dismantling & Recycling. Currently the former basement areas are being filled to grade." Assessment at p. 4.
- "Based on conversations with Mr. Gateman, the former Site building was serviced with natural gas heat and municipal water and sewer. Mr. Gateman stated that to his knowledge no water wells of any type are located on the Site." Assessment at p. 4.
- "Mr. Gateman stated that he is the current owner of the Site." Assessment at p. 6.

- "Based on conversations with Mr. Gatemann, prior to the August 2001 fire, the property had been occupied by commercial stores for approximately the past fifty years." Assessment at p. 7.
- "Mr. Gatemann stated that to his knowledge, no water wells of any type are located on the Site." Assessment at p. 10.
- "Based on conversations with Mr. Gatemann, during the demolition of the Site building, asbestos abatement activities were conducted. Mr. Gatemann stated that all building materials containing asbestos were removed from the Site and disposed of off-Site. Additionally all demolition debris was hauled off-Site or is in the process of being hauled off-Site for proper disposal." Assessment at p. 10.
- "Mr. Gatemann indicated that prior to his ownership of the Site UST's were present at the Site. Mr. Gatemann stated that prior to purchasing the property he had viewed documentation of the removal of the former USTs. Mr. Gatemann also indicated that AGTs were removed from the basement of the Site building during the demolition and asbestos abatement. Mr. Gatemann did not have knowledge of the number or sizes of the former AGTs or USTs." Assessment at p. 16.
- "Based on conversations with Mr. Gatemann, prior to the fire in August 2001, wastewater at the Site was formerly limited to sanitary wastewater." Assessment at p. 20.
- "Piles of solid waste (demolition debris) were observed throughout the Site. Based on conversations with Mr. Gatemann, observed piles are scheduled to be removed and properly disposed off Site by Robert's Dismantling and Recycling." Assessment at p. 24.

Please contact me if you have any questions.

Sincerely,  
  
Dale C. Kerester

cc: J. Mark Dickison, Esq.

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**FAX NUMBER:****617-227-3722****TELEPHONE NUMBER:****TO:****James S. Robbins, Esq.****COMPANY:****CITY:****Boston****STATE:****Massachusetts****FROM:****Dale C. Kerester, Esq.****OPERATOR:****Robin M. Reale****DATE:****9/28/2005****TOTAL NUMBER OF PAGES INCLUDING COVER PAGE:****03****CLIENT NUMBER:****24225** **URGENT** **FOR REVIEW** **PLEASE COMMENT** **PLEASE REPLY****COMMENTS**

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